

Serial No. 10/623,942
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REMARKS

The applicants have appointed the undersigned to assist in the prosecution of this application. Accordingly, Power of Attorney forms (PTO-SB/81), by each named inventor/applicant, are enclosed herewith.

The Examiner's acceptance of the corrected Abstract submitted earlier is acknowledged.

In the Final Office action the Examiner objected to the drawings stating, "New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because tiny scratch marks are everywhere throughout all the drawings." In accordance with the Examiner's requirement for a replacement set of drawings that has been corrected for the unintended miscellaneous tiny scratches that appear throughout, there is submitted herewith, in the section marked "Drawings", a complete replacement set of 14 drawing sheets, each marked "Replacement Sheet" and corrected to remove any errant scratches, etc. in accordance with the Examiner's instructions in the Final Office action. The unintentional submission of poor quality photocopies which were apparently originally filed was an inadvertent oversight and is sincerely regretted.

In the Final Office action the Examiner objected to the specification stating , "The disclosure is objected to under 37 CFR 1.71 as being non statutory description

as set forth in the last Office action and repeated below. The disclosure is totally informal and requires a complete review and re-drafting to be put in proper form. Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed)". In accordance with the Examiner's requirement, the entire specification has been extensively amended throughout, and pursuant the Rules concerning extensive amending of specifications, there is provided in the section marked "Amendments to Specification", both a marked-up version of the entire specification showing changes made, and an accompanying "clean copy" version of the entire specification as amended, each version so identified in the top margin.

With regard to the changes made, a typical opening statement has been added in the Background of the Invention to identify the field to which the invention relates. In the Summary of the Invention, the simple listing of individual structural parts and features of the original text has been deleted and replaced with a more formal summarization and overview of the basic concept of, and structural features and objectives of the present invention. Great care has been taken to assure against introduction of any new material not clearly supported by the original disclosure and drawings that were originally filed.

The Description of the Drawings has been amended to more properly

identify the various drawing figures.

In the Description of the Preferred Embodiment, since the original text provided a complete, thorough and detailed identification and description of the many various individual parts, structures, assembly and features of the invention and its operation, as shown and referenced in the preferred embodiments of the invention illustrated in the drawings, no substantive changes have been made to the original text. In this regard, the only changes that have been made to the originally-filed description have simply been to put the text into grammatically proper sentence and paragraph form. The unnecessary and confusing identifications of page numbers in connection with drawing figures have also been deleted. The resulting amended text, although substantially unchanged in content from the original text, is now believed to be in proper form and clearly more easily readable.

The added passages following the now-amended original description text have been provided to draw together and summarize and highlight the various structural elements, function, operation and features of the crusher apparatus identified and described in careful and complete detail in the originally-filed specification and drawings. Great care has been taken to assure against any introduction of new matter not found and clearly supported by the original disclosure of the invention.

Lastly, in the Final Office action the Examiner finally rejected claims 1-12 and 19-21 under 35 USC 112, second paragraph, the Examiner stating, "The claims are totally informal and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified. The structure must be organized and correlated in such a manner as to present a complete operative device. The claim must be in one sentence form only. . . . In summation, the claims are totally informal and hence non statutory."

Accordingly, as presented in the section, "Amendments to Claims", all claims 1-21 identified in the Office Action Summary page as still pending in this application are herein cancelled, and new claims 22-28 are added to recite, in proper form, the claimed crusher apparatus and various structural features disclosed in detail in the specification and drawings and regarded as the invention. In this regard, new independent claim 22 recites a basic suspended-impeller crusher apparatus as described in detail in the original disclosure, the recited structural elements all being contained in Figs. 1 and 2 of the drawings.

Claim 23 further limits the recited structure of the crusher apparatus of claim 22 to include the vertically-movable annular chamber and supporting elevator arrangement described in detail in connection with Figs. 1 and 3 and Figs. 17-18 of

the drawings.

Claim 24 recites the crusher apparatus of claim 23 further including a quick attach and release lock connection mounting the impeller removably on the bottom end of the spindle. One preferred such connector connection apparatus has been described in detail in connection with Figs. 29-31 of the drawings.

Claim 25 adds to the recited structure of claim 24 the swingable boom apparatus 35, 36 described in the specification and shown in Figs. 1 and 6, provided for facilitating impeller replacement when the annular chamber is in its maintenance position between operations of the crusher.

Claim 26 recites the crusher apparatus of claim 22 further including a static tube 73, as disclosed for conducting rock and ore material through the hollow drive spindle 51 from the hopper to the impeller.

Claim 27 further identifies structural features and limitations of the support bearing apparatus of claim 22 described in detail in the specification and illustrated particularly in Figs. 2 and 19 of the drawings.

Claim 28 further identifies the power drive means of claim 22 as including a motor-driven belt drive arrangement for engaging and rotating the spindle and belt tensioning means, as described in detail in connection with Fig. 6 of the drawings.

Great care has been taken to assure that the new claims are fully supported

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by the original written and illustrated disclosure of the invention and have been written to assure proper antecedent basis with the original disclosure.

Having carefully endeavored to follow the Examiner's instructions for the proper correction of the formal matters identified in the Final Office action, it is sincerely believed that the application as presently amended is in proper and acceptable condition for continued prosecution and the new pending claims 22-28, which are now the sole claims pending in this case, are in proper condition for examination on merit in connection with the prior art.

This amendment, (Submission required under 37 CFR 1.114), accompanies a Request for Continued Examination and payment of the requisite fee, and a Power of Attorney by each inventor/applicant appointing the undersigned to

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represent the applicants in this patent application is also enclosed herewith.

Respectfully submitted,

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